



## ADMINISTRATIVE ORDER

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**SITUATION:** The M/V KED is currently moored in Port Washington Narrows. An assessment of the vessel has led us to believe that the vessel stability will be jeopardized during the upcoming fall and winter months. If allowed to remain in this condition, a discharge of oil into the Port Washington Narrows, a navigable waterway of the United States, is highly probable.

**DIRECTIONS:** The Coast Guard is authorized by Section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321) as amended by the Oil Pollution Act of 1990 to mitigate or prevent a substantial threat of a discharge into or on the navigable waters or the exclusive economic zone of the U.S. In order to protect public health and welfare, you are directed to perform one or more of the following line items by no later than September 12, 2005:

1. Replace existing lines with new lines, plug all fuel tank vents, and close all hatches open to the environment as per prior U.S. Coast Guard Sector Seattle letter dated August 9, 2005;
2. Remove M/V KED using a U.S. Coast Guard approved tow plan; or
3. Remove all oil, hazardous material, and any other pollutants from M/V KED using a qualified removal organization.

**PENALTIES:** Under the Federal Water Pollution Control Act (as amended by the Oil Pollution Act of 1990), you as the responsible party are liable for mitigation of this potential discharge. Your liability includes, but is not limited to; all removal costs as well as any damages to the environment. Failure or refusal to provide all reasonable cooperation and assistance requested by the Federal On Scene Coordinator or failure or refusal to comply with this order will subject you to a civil penalty of up to \$32,500 per day of violation. Furthermore, you may be liable for up to three times the costs incurred by the Oil Spill Liability Trust Fund, and may be ineligible for any defense or entitlement to limited liability which might otherwise be available under these Acts.

## **ADMINISTRATIVE ORDER**

Should you require further information regarding this matter, please contact LCDR Amy Cocanour at the above address and telephone number.

Sincerely,

S. P. METRUCK  
Captain, U.S. Coast Guard  
Captain of the Port, Sector Seattle

Copy: Commander, Thirteenth Coast Guard District (m)  
Washington State Department of Ecology  
Washington Department of Natural Resources